

CHAPTER 10 REGULATION OF SEWER USE

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10-1 General Information

The provisions set forth herein shall serve as the legal basis for the operation, administration, and all decision-making pertaining to the delivery of sewer service to the inhabitants of the Town of Manchester, Vermont.

This Ordinance has been adopted under the authority granted the Town's Legislative Body by 24 V.S.A. § 3617.

The Manchester Sewer Department is governed by a five member Board of Sewer Commissioners (the Manchester Selectboard) who serve in a regulatory and policy making capacity. Administration, operations, and policy implementation for the Department is carried out through the auspices of the Town Manager, the Water and Sewer Superintendent and Sewer Department Staff.

Information may be obtained as follows:

- a. Permits and Procedures - Town Manager (362-1313)
- b. Billing and Accounts Payable - Utility Clerk (362-1197)
- c. Operations and Technical Assistance - Water and Sewer Superintendent(362-3339)
- d. Emergency Situations - Dispatch Office (362-2022)

10-2 Definitions

- a. Applicant - A property owner or contract purchaser seeking new or additional sewer service through the application procedure outlined in Section 10-3.**
- b. Board of Sewer Commissioners -The five member Selectboard which oversee the Manchester Sewer Department. Hereafter referred to as the Board.**
- c. Customer - The owner or owners of a premises served by the Department.**
- d. Department -The Manchester Sewer Department**
- e. Extension of Use - Any modification to a residential, commercial, or industrial unit served by the sewer system which would result in additional sewage generation. Sewage generation quantities shall be derived from the rules and regulations promulgated by the State of Vermont, Department of Water Resources and Environmental Engineering.**
- f. Industrial Wastes - The liquid wastes from industrial manufacturing processes, trade, or business as distinct from domestic sanitary sewage.**
- g. Main - A sewer pipe utilized to transmit sewage from service lines to the treatment plant. Sewer mains shall not include sewer service lines.**
- h. Service Line - The exterior pipe that runs between the sewer main and the customer's building.**
- i. Sewage - Water-carried wastes discharged into the sewer system.**
- j. Sewage Treatment Plant -Any arrangement of devices and structures used for treating sewage.**
- k. Sewer System - All facilities for collecting, pumping, treating, and disposing of sewage. Existing and future portions of said system may not be owned or maintained by the Department.**

10-3 Application Procedure

(a) Application Format - Application for sewer service shall be made on forms approved by the Board and must contain all information necessary for timely decision-making.

Sewer service shall not be granted to any person who does not fully comply with the application procedures specified herein.

(b) Allocation Request - Because the sewer system has a limited capacity, an allocation must be issued by the Department to all applicants seeking an Extension of Use or connection to the municipal sewer system. Said allocation shall be issued in conformance with the Sewer Allocation Policy outlined in Section 10-3(c).

Information to be supplied in association with the Allocation Request shall include, but not be limited to, the following:

1. Conceptual plan noting buildings to be served
2. Proposed size of lines and a general utility layout
3. Estimated sewer demand

(c) Allocation Policy - Allocation of sewer capacity shall be limited to all applicants in quantities set forth as follows:

1. Maximum Annual Allocation per Category:

Residential	-	20,000	GPD (gallons per day)
Commercial	-	14,000	GPD
Other	-	6,000	GPD
2. Maximum Annual Allocation per Project:

Residential	-	3,000	GPD
Commercial	-	2,100	GPD
Other	-	900	GPD

Allocations may be granted in annual installments to an applicant for not more than a five year period; provided, however, such an installment may not exceed the Maximum Annual Allocation per project as noted above. For the purposes of this policy statement, "annual" shall be measured from January 1 until December 31.

For any sewer allocation commitment granted, the Board may require that said commitment expire within a specified period of time if it has not been utilized. An allocation commitment shall be considered utilized at the time in which a fully completed Final Application has been submitted to the Town of Manchester.

Sewer allocations granted under this policy shall be specific in nature (time limits, site, capacity levels). Nor shall this policy be interpreted to imply that a successful applicant has any inherent right to reserve or be granted any future sewer allocation above and beyond that specifically voted by the Board of Sewer Commissioners.

(d) Final Application - A Final Application shall be prepared and submitted to the Town Manager's office subsequent to a Capacity Allocation being granted under Section 10-3(c). The Final Application shall be accompanied by design plans and the requisite fee as set forth in Section 10-5(c).

(e) Application Processing - Capacity allocation requests and Final Applications which involve one single family residence or an Extension of Use request shall be processed and approved by the Town Manager. All other allocation requests and/or applications shall require Board action.

(f) Refund Policy - Applicants who withdraw their application prior to a decision being rendered by the Board on a Final Application shall be refunded 75% of the connection fee.

If the Board denies a Final Application, or if a capacity commitment expires, no refund shall be granted.

(a) **Construction Standards** - All construction performed in association with the municipal sewer system shall conform to the Department's "Standard Specifications for Sewer" and comply with all special conditions stipulated by the Board.

(b) **Construction Agreement** - For sewer main extensions, the Board may require that an applicant enter into a written Construction Agreement with the Department prior to any construction being performed.

(c) **Inspection Services** - During construction of sewer main, a resident inspector may be appointed by the Board to oversee all construction activities. All costs incurred as a result of such inspection service shall be borne by the Applicant.

It shall be the responsibility of the resident inspector, or the applicant's engineer, to insure that all facilities are installed in accordance with the plans, specifications and special conditions, as approved by the Board.

(d) **Initiation of Sewer Service** - The Board shall initiate sewer service to a new sewer main only after the Board has been provided the following:

1. Written certification by the resident inspector or the applicant's engineer that all construction was conducted in accordance with the approved plans, specifications and special conditions.
2. All deeds and right-of-way instruments; only if the Town is to assume ownership.
3. "As-built" plans prepared by a registered surveyor or engineer on reproducible Mylar in a form acceptable to the Town's engineer.
4. Certification that all newly constructed sewer main has passed all State and/or Departmental testing requirements.

(e) **Service lines** - The cost of installing and maintaining a service line shall be borne solely by the customer.

Installation of said lines shall not take place between November 12 and April 1, except in case of an emergency.

(f) **Conformance With Other Regulations** - Applicants should be aware that securing permission to initiate sewer service does not remove the responsibility of obtaining other permits; such as public building permits, zoning permits, street opening permits, etc.

10-5 Rate and Fee Schedule

(a-1) Usage Charge - Each customer shall be required to pay a quarterly usage charge at a rate of \$0.0035*per gallon of metered water use. A minimum quarterly usage charge of \$20.00** shall be required of all customers. Customers who do not have municipal water service, and thus, are not metered shall be assessed a sewer usage fee based upon an estimated quarterly water usage of 19,160 gallons.*** Revenue derived from the Usage Charges shall be utilized for the operation and maintenance of the sewer system.

(a-2) Commercial Car Washes – A flat quarterly usage charge of \$2,200 per wash bay shall be assessed for those establishments that use a water source not metered by a properly installed (Town Technician approved) water meter.****

(a-3) Hose Bib Connections – A properly installed (Town Technician approved) hose bib account, metering water primarily for outdoor use (gardens, pools, etc) that does not enter the Sewer System for wastewater treatment, is not subject to Sewer Usage Charge.*****

(b) Assessment Fees - A quarterly payment of an assessment fee shall be required of any person who owns a building within 200 feet of a public sewer main. Said fee is hereby established at a rate of \$.002497***** per \$100 of the affected property's most recently assessed value. Revenue collected from said assessment fee shall be ear-marked to retire any debt incurred by the Department.

(c) Connection Fees - Fees for connection and Extension of Use permits shall be assessed at a rate of \$11.68 per the estimated number of gallons per day (GPD) of sewage generation.***** Said GPD estimate shall be derived from Table M-1 "Estimated Design Flow Based on Type of Establishment, Town of Manchester Vermont" and dated August 6, 2004. Table M-1 is a modification of the Vermont Agency of Natural Resources, Environmental Protection Rules Chapter One, Wastewater System and Potable Water Supply Rules effective August 16, 2002.

All connection fees collected shall be transferred to a special "Sewer Capital Improvement" fund to be established by the Town Treasurer. Expenditures from said fund shall only be utilized for costs associated with capital improvements to the sewer system.

*	4/5/05	Usage Charge was changed from \$0.0023 per gallon to .00035 per gallon.
**	4/5/05	Minimum quarterly usage charge was changed from \$10 to \$20.00.
***	4/5/05	Customers lacking metered water service quarterly charge changed from 11,220 gallons to 19,160 gallons
****	4/5/05	Commercial Car wash section added.
*****	4/5/05	Hose Bib Connections section added.
*****	4/24/01	Assessment fee reduced from \$.004305 to \$.002497
*****	04/5/05	Connection fees were increased from \$6.13 to \$11.68 GPD

Table M1
ESTIMATED DESIGN FLOW BASED ON TYPE OF ESTABLISHMENT
TOWN OF MANCHESTER, VERMONT
August 6, 2004

ESTABLISHMENTS	GALLONS PER PERSON PER DAY (unless otherwise noted)
Assembly Areas, Conference Room	3.5
Airports (per passenger)	3.5
Bathhouses and Swimming Pools	3.5
Bowling Alley (no food service)(per lane)	52.5
Cafeterias (per seat)	35
Camps: Construction camps (semi-permanent)	35
Day camps (no meals served)	10.5
Resort Camps (Night & Day) with limited plumbing	35
Churches: Sanctuary seating x 25%	3.5
Church suppers	5.6
Country Clubs (per resident member)	70
Country Clubs (per non-resident member present)	17.5
Day Care Centers:	
Without meals:	10.5
With one meal:	14
With two meals:	17.5
Dentists:	
Per Staff Member	24.5
Per Chair	140
Doctor's Office:	
Staff Member	24.5
Patient	7
Room Rentals:	
Boarding Houses	35
Addition for non-resident boarders	7
Rooming Houses (per occupant bed space)	28
Factories (gallons per person, per shift, exclusive of industrial waste)	10.5
Gyms:	
Per Participant	7
Spectator	2.1
Hairdressers:	
Operator	7
Per Chair	105
Hospitals (per bed space)	175
Hotels with Private Baths(per person sleeping space) ^c	35
Institutions other than hospitals (per bed)	87.5
Laundries, self service (gallons per machine)	350
Mobile Home Parks:	
For wastewater systems serving 4 or fewer trailers (per space)	315
For wastewater systems serving 5 or more trailers (per space)	175
Motels with bath, toilet (per person sleeping space)^c	35
Picnic Parks (toilet wastes only/picnicker)	3.5

Restaurants:	
For toilet and kitchen wastes per seat (including restaurant and bar seats)	21
Additional per seat for restaurant serving 3 meals per day	10.5
Restaurants (fast food – per seat)	35
Schools:	
Boarding	70
Day, without gyms, cafeterias, or showers	10.5
Day, with gyms, cafeterias, and showers	17.5
Day, with cafeteria, but without gyms or showers	14
Service Stations (first set of gas pumps)	350
(each set thereafter)	210
Sewer Line Infiltration (where applicable) 300 gal/in pipe/dia/mile/day	See Note 1
Shopping Centers/Stores: ^c	
Large Dry Goods (per 100 square feet)	3.5
Large Supermarkets with meat department without garbage grinder (per 100 square feet)	5.25
Large Supermarkets with meat department with garbage grinder (per 100 square feet)	7.7
Small Dry Good Stores in shopping centers (per store)	70
Theaters:	
Movie (per auditorium seat)	3.5
Drive-in (per car space)	3.5
Veterinary Clinic (3 or less doctors):	
without animal boarding (per clinic)	525
with animal boarding (per clinic)	1,050
Workers:	
Construction (at semi-permanent camps)	35
Day at schools and offices (per shift)	10.5

Notes:

- These values are based on the Table 1 of the Environmental Protection Rules (Chapter 1 Wastewater System and Potable Water Supply Rules) with the following exceptions:
 - Design Flow from Residential Units (part a, and part b) has been omitted.
 - Estimates for seasonal use at campgrounds, RV Sites, and Cabins have been omitted.
 - Estimated water usage for the other establishments shown above already include the 80% reduction due to municipal connection and a 10% reduction for low flow fixtures.
- Single family residential units (3 bedrooms or less) connected to a wastewater disposal system with a design capacity of at least 50,000 gallons per day may use a design flow of 210 gallons per unit per day. For single family residential units for 4 or more bedrooms use a design flow of 210 gallons per unit per day plus 70 gallons per bedroom for 4 or more bedrooms. Reductions due to connection to a municipal system and or low flow fixtures are not applicable.
- Where noted the estimated usage does not include laundry or restaurant waste.

10-6 Sewer Billing and Collection

(a) Billing Schedule - Sewer bills shall be issued by the Department on a quarterly basis. Customers shall pay said bills within thirty (30) days of date of issue.

(b) Billing Procedure - Sewer bills shall be issued to the owner of the property receiving service from the Department. The property owner shall be responsible for the payment of all sewer bills and interest charges incurred in association with all past and present sewer service to the property in question.

A change in ownership of a property does not relieve the new property owner of any delinquent charges or fees incurred by previous owners.

(c) Billing Penalties and Interest Charges - Sewer bills which are not paid within thirty (30) days of date of issue shall be subject to a 1 1/2% interest charge per month (or portion thereof).

Customers who are delinquent in the payment of their sewer bills are subject to:

- 1. Disconnection as specified under the provisions of 24 V.S.A. §5141; or**
- 2. A lien being placed upon the property in question.**

10-7 Sewer Use

(a) Discharge of the following types of substances into the sewer system shall be prohibited:

- 1. petroleum products;**
- 2. hazardous and toxic wastes;**
- 3. substances with a P.H. lower than 5.0 and higher than 9.5;**
- 4. liquids in excess of 150 degrees;**
- 5. grease, fats and wax, whether or not emulsified;**
- 6. radioactive material;**
- 7. any flammable or explosive liquids, solids, or gases;**
- 8. substances which cause:**
 - a. Unusual concentrations of inert suspended solids (such as, but not limited to, sodium chloride and sodium sulfate);**
 - b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions);**
 - c. Unusual BOD, chemical oxygen demand, or chlorine requirements in**
 - d. Unusual volume of low or concentration of wastes constituting slugs.**
- 9. Any substance deemed by the Superintendent to have a deleterious impact upon public health or the proper operation of the sewer system.**

(b) Discharge of the following types of substances into the sewer system shall be prohibited unless permission for discharge is expressly authorized in writing by the Superintendent:

- 1. septage;**
- 2. industrial waste;**
- 3. surface water, ground water, and storm water runoff.**

10-8 Powers and Authority of Department Personnel

(a) **Right of Access** - For purposes related to inspection, maintenance, operation, or service termination, Department personnel shall have the right of access to a customer's property.

Department employees shall carry identification on their persons indicating that they work for the Sewer Department and shall produce said identification upon request.

(b) **Service Line Repairs** - When a service line malfunctions and the owner cannot be readily located or refuses to make immediate repairs, the Department shall have the right to make necessary repairs and charge the customer for same.

10-9 Miscellaneous Provisions

(a) **Separate Service Lines** - A separate and independent service line shall be provided for every building unless an alternative arrangement is approved in writing by the Superintendent.

(b) **Grease Interceptors** - All restaurants (or like entities) connected to the sewer system shall be required to install grease interceptors to specifications set forth by the Superintendent.

10-10 Civil Designation *

A violation of this Ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. § 1974a and 1977 et seq.

10-11 Penalties *

Any person found to be in violation of any provision of this Ordinance shall be subject to a fine of five hundred dollars (\$500). Each day that such violation continues shall constitute a separate violation. The waiver fee shall be established at \$250. *

10-12 Enforcement *

The issuing official authorized to enforce this Ordinance shall be the Town's Sewer Superintendent.

10-13 Savings Clause

Should any provision of this Ordinance be held to violate a Federal or State Law, all other provisions shall remain in force.

* 3/27/95 Amendments adopted in order to conform to "Municipal Enforcement Act", so-called.

Adopted	9/14/88
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Amended	3/27/95
Effective	5/26/95
Amended	8/14/95
Effective	10/13/95
Amended	4/24/01
Effective	6/24/01
Amended	4/5/05
Effective	6/4/05